

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1-3. These sheets, which include Figs. 1-3, replace the original sheets including Figs. 1-3.

Attachment: Replacement Sheets

### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing amendment, Claims 10-18 remain pending in the present application. Claims 10, 11, 14, 15 and 18 have been amended to address cosmetic matters of form. No new matter is added.

By way of summary, the Official Action presents the following issues: the drawings have been objected to under 37 C.F.R. § 1.121(d); the claims have been objected to; Claims 10-18 stand rejected under 35 U.S.C. § 112, second paragraph; Claims 10 and 14 stand rejected under 35 U.S.C. § 102 as being unpatentable over Allan et al. (U.S. Patent 6,788,696, hereinafter "Allan"); and Claims 11-13 and 15-18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Allan in view of Baum et al. (U.S. Patent 7,170,905).

### OBJECTIONS TO THE DRAWINGS

In response to the objections to the drawings outlined at paragraph one of the Official Action, Applicants submit herewith replacement sheets corresponding to previously submitted Figures 1-3 in which the blank boxes have been labeled as appropriate.

Accordingly, Applicants respectfully requested the objection to the drawings be withdrawn.

### OBJECTIONS TO THE CLAIMS

As noted in the Official Action at paragraph two, Applicants have renumbered the pending claims (10-18) such that they are now consistent with the numbering presented in the Article 34 Amendment. Additionally, Applicants have deleted the terminology "unconnected network" from the claims.

Accordingly, Applicants respectfully request that the rejection of Claims 10-18 under 35 U.S.C. § 112, second paragraph, be withdrawn.

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 10 and 14 under 35 U.S.C. § 102 as being unpatentable over Allan . The Official Action contends that Allan describes all of the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' amended Claim 10 recites, *inter alia*, a method for transferring to a same client terminal at least a first flow with a first service quality and at least a second flow transmitted with a second service quality to the same client terminal by a content server, including:

reserving network resources of a predetermined service quality by exchanging messages via a connectionless network protocol over a connectionless network;

establishing a high throughput, connection oriented link in accordance with the network resources reserved by utilization of the connectionless network protocol between the client terminal and the content server;

multiplexing the first and the second flows into a same flow; and

transmitting the multiplexed same flow to the client terminal through the high throughput, connection oriented link.

Allan describes a method of reducing bandwidth usage in a ATM access network using VC-merging. In operation, a service gateway (14) analyzes multicast specific protocol exchanges via an ATM link (11) and manipulates the ATM access network accordingly. For example, the service gateway (14) may respond to a request for a multicast content by signaling through a user network interface (UNI) to an ATM edge switch connected to a content provider. The ATM edge switch forwards a join message through the ATM access network toward customer premises equipment via well understood ATM routing and

signaling mechanisms. The processing message may include a merge-eligibility indicator, for merging ATM connections to conserve bandwidth.<sup>1</sup>

Conversely, an exemplary embodiment of the Applicants' claimed advancements, a method for transferring to a same client terminal at least a first flow with a first service quality and at least a second flow transmitted with a second service quality to the same client terminal by a content server is provided. Network resources are reserved of a predetermined service quality by exchanging messages via a connectionless network protocol over a connectionless network. A high throughput, connection oriented link is established in accordance with the network resources reserved by utilization of the connectionless network protocol between the client terminal and the content server. The first and second flows are multiplexed into a same flow. The multiplexed same flow is transmitted to the client terminal through the high throughput, connection oriented link.

As can be appreciated, Allan describes utilizing a service gateway (14) for parsing traffic of an ATM network in order to perform VC-merging to reduce bandwidth usage in the ATM network. Allan does not disclose or suggest reserving network resources through the exchange of messages via a connectionless network protocol over a connectionless network to establish a high throughput, connection oriented link between a client terminal and a content server as recited in amended Claim 10, or any claim depending therefrom. Likewise, independent Claim 14 has been amended to recite substantially similar features.

Accordingly, Applicants respectfully request that the rejection of Claims 10 and 14 under 35 U.S.C. § 102 be withdrawn.

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<sup>1</sup> See Allan at Fig. 2; col. 6, lines 33 through. col. 7, line 14.

REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 11-13 and 15-18 under 35 U.S.C. § 103 as being unpatentable over Allan in view of Baum. The Official Action contends that Allan discloses all of the Applicants' claimed features with the exception of the more detailed aspects of the dependent claims. However, the Official Action cites Baum as describing these more detailed aspects, and states that it would have been obvious to one of ordinary skill in the art at the time the advancements were made, to combine the cited references for arriving at the Applicants' claims. Applicants respectfully traverse the rejection.

As noted above, Allan does not describe all of the features of the Applicants' amended claims for which it has been asserted. Likewise, as Baum has not been cited as describing these features, nor does it describe these features alone, or in combination, with Allan. Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been provided.

Accordingly, Applicants respectfully request that the rejection of Claims 11-13 and 15-18 under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present application, including Claims 10-18, is patentably distinguished over the prior art, and in condition for allowance, and such action is respectfully requested at an early date.

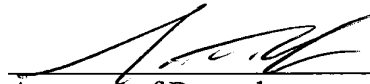
Respectfully submitted,

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